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The Right to Freedom

The Bulletin of the Human Rights Centre "Viasna"



Regime Demonstrates Its Nature

It wasn't necessary to have Nostradamus's or Cassandre's abilities to predict that March 25 would be a «hot day» in Minsk. When Minsk Executive Committee decided not to permit holding of the opposition procession and meeting almost all mass-media argued that the authorities and the police were going to «give a lesson» to the opposition. But nobody had expected the events that took place in Minsk on the Day of Freedom, during celebration of the 82nd anniversary of Declaration of the Belarusian People's Republic...

In the morning on March 25 the center of Minsk seemed to be invaded by some unknown enemies. Along Francysk Skaryna Avenue there stood a chain of policemen at 10-12 meters' distance from one another. Rows of people in camouflage clothes ranged from the Academy of Sciences to the Square of Independence. In some places there also stood «hidden» armored carriers (journalists saw 10 of them) and nozzles. Special groups of policemen with dogs patrolled the Avenue and the adjacent streets. The opposition action was to have begun at 12 a.m. in Iakub Kolas square.

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Minsk. March 25, 2000.

Chronicle

On March 12 while distributing invitations to the officially allowed opposition action «March of Freedom» the member of «Young Front» Iuras Zemski was detained at the stairs of «Ameha» supermarket in Vitsebsk. The teenager was taken to Pershamaiski DDIA. A protocol of administrative infringement was composed in spite of Iuras's explanations that the action had been allowed by Vitsebsk Executive Committee. According to unofficial sources on the eve of «March of Freedom» the police were ordered to detain distributors of information concerning the action. This can be proved by the fact that flysheets with information about this opposition action didn't appear on the promotion boards of Vitsebsk in spite of the agreement with the city promotion service. We found out that posting of the flysheets had been prohibited by I. Herasimaw, head of Vitsebsk department on contacts with public organizations.

On March 14 the sue of chairman of the Belarusian Football Federation (BFF) Ryhor Fiodaraw against the editorial staff of the newspaper «Pressball» was considered at Minsk Central District Court. R. Fiodaraw demanded from the newspaper 65 million rubles (approximately $70 thousand) as a compensation for the insult of his honor and dignity ostensibly made in one of the publications. Due to the present economical conditions such compensation would make the newspaper a bankrupt. The trial disproved 7 of 11 accusation points and reduced the compensation to the «acceptable» sum of 1 million 200 thousand rubles. So, the official didn't manage to make short work of the independent newspaper with the assistance of the court. After Fiodaraw's sue «Pressball» also sued against Fiodaraw and BFF's newspaper «Vsio O Futbole» («Everything About Football»).

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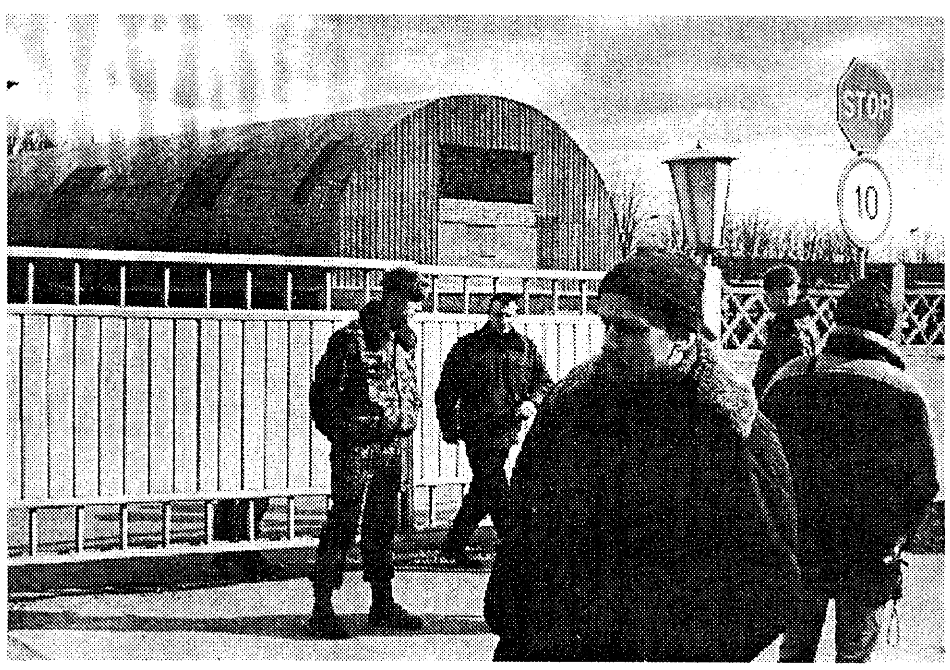
REGIME DEMONSTRATES ITS NATURE

(beginning on page 1)

But even at 11.30 it was almost impossible to get into the square. All but one exits from the pedestrian underground crossing of the tube station «Iakub Kolas» square were blocked. Approximately at that time «cleaning» of the square from the people who had come earlier began. The police treated occasional passers-by, old-aged women,... journalists and even human rights observers in the same way. Among the first people who were seized there was Christopher Paniko, representative of OSCE mission in Belarus. He didn't manage to prove to the police that he was a diplomat and had an immunity. They didn't listen to him, but, judging by their impudence and rudeness, were executing somebody's order.

After that the police started to «hunt» journalists. Policemen from seizure groups and people in civil clothes acted rudely and violently. They smashed cameras of journalists from the Russian TV-companies PRT and RTR. They pulled RTR correspondent Elena Lukashevich to the car by her hair, beat PRT camera-operator Dmitri Zavadzki with a gum stick and smashed glasses of PRT correspondent Dmitri Novozhilov during detention... All in all 36 journalists: representatives of «Associated Press» radio «Liberty», TV-channels NTV, RTR, PRT, TVC, Polish TV and numerous Belarusian newspapers (the full list of them you can find on page 4) – were arrested. Simultaneously with the journalists opposition leaders and ordinary people were arrested. The police assaulted the office of the BPF «Adradzhenne» and arrested those who were inside. All in all about 500 people were arrested (the exact number is unknown, because protocols of detention were not composed on all of the detained people, many of them were dismissed in several hours without having undergone this procedure.) The detained people were taken to police departments and to the steel hangar (based in Maiakowski street) that had been conversed into a gym. In Maiakowski street the «most important» persons were kept. Among them there were vice-speaker of the Supreme Soviet of the 13th Convocation Anatol Liabedzka, editor-in-chief of the newspaper «Rabochy» («Worker») Victar Ivashkevich, vice-chairman of the Human Rights Center «Viasna» Valiancin Stsefanovich and, naturally, Christopher Paniko. More than 200 people were kept in the hangar.







Minsk. March 25, 2000.

In spite of mass detentions several thousand of the celebration participants went to Banhalor Square in two columns. One of the columns chose a shorter way and went along V. Kharuzhaia street. In M. Bahdaznovich street it was attacked by special police forces who dispelled the column and detained some people. The second column chose the route of «March of Freedom-2» – along Frantsysk Skaryna Avenue and Surhanaw street to Banhalor square, where a meeting was held. About 10 thousand people were present. Chairman of the BPF Vintsuk Viachorka, chairman of the BSDH Mikola Statkevich, Alena Zakharanka (daughter of ex-prime- minister Iury Zaharanka who disappeared almost a year ago), etc. addressed to the participants of the action. The meeting was carried out in a calm atmosphere, may be because the police were still busy «working» in other parts of the city. At the end of the meeting vice-chairman of the BPF Viachaslaw Siwchyk asked all participants of the meeting to bring flowers to Ianka Kupala's monument on April 2 (Lukashenko proclaimed that day the holiday of unity of Belarus and Russia).

What caused the exceptional violence of the authorities towards the peaceful opposition action? There are many opinions. But the main of them is that the authorities were frightened by the mass character of the demonstrations and decided to intimidate people. Even on March 15, a cold and nasty day, about 50 thousand people went along the streets. What will be then?— the participants of the sitting of the Security Soviet that took place in the evening on March 24 asked themselves. There are also other points of view which sometimes contradict each other: the violence was used to call attention to Minsk and «substitute» Lukashenko, to support Putin on the eve of the Russian Presidential Election, prove devotion to Russia and the idea of unity, etc. We think that the events that take place in Belarus are only a rehearsal of the future events in Russia and it's a great pity that the Russians, seeing «strong hand» in action in the Belarusian capital, didn't make any conclusions...

Andrei NALIVA

«They Threw Us Faces to the Floor, Kicked Us With Feet and Beat With Gum Sticks...»

Witnesses of the people who were injured on March 25, 2000

On March 25-29 138 people who had suffered because of policemen's illegal actions during the Day of Freedom applied to the Human Rights Center «Viasna». Here are extracts from their applications with witnesses concerning t he events that took place in Minsk on March 25.



From Mikhail Vasilewski's application: «I was detained at 11.30 a.m. in Varvashenia street in my own car. My two-year-old son was in the car with me. The police confiscated my camera. At that time my son stayed in the car alone, he was terribly frightened, because he saw how the police seized me. I was lead to the police car that stood in front of the Police Academy. Then the policemen started to box me up into it. They didn't react to my insistent requests to quit the hold of me (because my two-year-old child stayed in the car in the center of the city alone). In the last moment a police colonel saw my child. He insulted me and then ordered the policemen to let me go.»

From Aleh Pronin's application: «four policemen grabbed my arms and began to beat me with their feet and gum sticks. Beating me they pulled me into a microbus.»

From Mikola Novik's application: «I came to Minsk on my scientific business. I wanted to specify some questions concerning the International Conference that was to take place in Budapest on April 6-7. Approximately at 1 a.m. I was seized in Iakub Kolas Square by people in police clothes. They didn't give me any warnings or accusations. I asked them to call their names. They answered me with foul language. During my detention the bus where they put the seized people was chock-full. I witness that in the bus the policemen threw people faces to the floor (that happened to me, too), kicked them with their feet and beat with gum sticks, insulted national and human honor and dignity, posed threats.»

From Larysa Laparskaia's application: «I was boxed up into a car and taken to Savetski DDIA. On the way there a policemen whose name was Pasha threatened me all the time. On the stairs of the DDIA he beat me and tore my jacket. By the way, I'm ill with rheumatic arthritis. In the police-point there were different people: Ivashkevich, Chakholski, Maia Todarawna Kliashtornaia. There were also occasional passers-by. An old woman said that she had been recently released from the hospital and was going to «Stalichny» supermarket for food-stuffs. All in all there were 8 women who were about 60. A 15-year-old boy constantly asked what he had been seized for. He said: «I was going to my mother's work». He knew nothing about the Day of Freedom, the Belarusian People's Republic, and, it seems to me, even about the BPF.»

From Mikola Khatkevich's application: «On 25.03.2000 my wife and me were selling fruit and vegetables at a stall near «Stalichny» supermarket, in the place determined by Minsk Executive Committee. (...) Suddenly two people in police clothes appeared. They seized me by my arms and pulled into a police car where about 8-9 people were already sitting: one of them was seized at the stairs of the lavatory behind the Central Supermarket: the police didn't let him go there. Another one asked the police to let him go to celebration of his name-day (he was going to «Stalichny» supermarket for food-stuffs).»

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The USA Reproves Violent Dispersal of Peaceful Action

Appeal of Vice-press-secretary of USA Government James Fowly

The USA reproves the groundless violence demonstrated by the Belarusian authorities on March 25during the peaceful action organized in Minsk to honor the 82nd anniversary of creation of the Belarusian People's Republic. The authorities put dogs, special military forces and armored carriers in the city center: from 300 to 500 Belarusian citizens were arrested, a lot of them were reported to have been beaten. Among the attacked people there were Anatol Liabedzka, vice-chairman of the Supreme Soviet of the 13th Convocation, Maryjush Kaminjski, deputy of the Polish Parliament, 35 journalists from Belarus, Russia and Poland. The authorities also detained a USA citizen who was accredited in the consultative-observing OSCE group. By this action they purposefully violated his diplomatic status. Lukashenko's suppression of this demonstration shows his indifference to the dialogue. We demand from the authorities to immediately dismiss all the arrested people and respect the freedom of word and assemblies.

Washington, March 27, 2000.

Belarusian «GUManism»

The People who served Pinochet's regime put detained people in stadiums, those who serve Lukashenko put people in gyms, because in Belarus springs are colder...

People detained on March 25 by policemen and people in civil clothes were taken to all Minsk District Departments of Internal Affairs (there are nine of them). According to the witnesses given by members of human rights organizations from [illegible]) to 80 people were taken to each DDIA. Besides, about 70 people were kept in the military unit in Hrushawskaia street, about 100 were taken to the special police department in Akrestsin street, more than 200 – to a military unit in Maiakowski street. In the latter group of people there were many journalists, foreign citizens and international observers.


The journalists were released from the hangar-gym.

According to the information of the Human Rights Center «Viasna» the following people were among those who were detained on March 25:

People that possess diplomatic immunity:

1. *Christopher Paniko,* representative of OSCE mission in Belarus.
2. *Mariush Kaminski* – deputy of the Polish Parliament (Seim)

Journalists:

Informational agencies:

1. *Maryna Babkina* "Associated press"
2. *Larysa Kliuchnikava,* "ITAR-TASS"

The press:

3. *Siarhei Mikhalchyk,* member of the Belarusian Association of Journalists
4. *Iury Dziadzinkin,* photographer of the Belarusian Association of Journalists
5. *Uladzimir Karmilkin,* photographer of the Belarusian Association of Journalists
6. *Iryna Khalip,* «Beloruskaia Delovaia Gazeta» («Belarusian Business Newspaper»)
7. *Zmitser Iarmak,* newspaper «Belaruskaia Hazeta» («Belarusian Newspaper»)
8. *Valery Dranchuk,* newspaper "Belavezhskaia Pushcha"
9. *Vadzim Kaznacheiew,* magazine "Courier"
10. *Aliaxandr Tsikhanaw,* newspaper «Molodyozhny Prospekt» («Youth Avenue»)
11. *Slavamir Adamovich,* newspaper "Nasha Niva" («Our Cornfield»)
12. *Alherd Neviarowski,* newspaper "Nasha Niva"
13. *Aleh Hruzdzilovich,* newspaper "Nasha Svaboda" («Our Freedom»)
14. *Aliaxei Shydlowski,* newspaper "Nasha Svaboda"
15. *Arsen Skarulis,* newspaper «Navinki»
16. *Valiantsin Hernovich,* newspaper «Rabochy» («Worker»)
17. *Palina Stsiepanenka,* bulletin "The Right to Freedom" issued by "Viasna"
18. *Aliaxandr Tamkovich,* vice-editor-in –chief of the newspaper "Svobodnyie Novosti» («Free News»)
19. *Tatsiana Snitko,* newspaper «Ukraina Maladaia" («Young Ukraine»)
20. *Tatsiana Papova* (newspaper "Zhoda")
21. *Viktar Drachow,* photocorrespondent

Radio stations:

22. *Iury Drakakhrust,* radio «Liberty»
23. *Valery Kalinowski,* radio «Liberty»
24. *Liubow Luniova,* radio «Liberty»
25. *Iahor Maiorchyk,* radio «Liberty»
26. *Mikhas Stelmakh,* radio «Liberty»

TV-channels:

27. *Alexander Kolpakov,* NTV (National TV, Russian TV-channel)
28. *Konstantin Morozov,* NTV
29. *Marja Wjarnikowska,* the 1st Polish TV channel
30. *Shymon Galewski,* the 1st Polish TV-channel
31. *Dmitry Novozhilov,* PRT (Public Russian TV)
32. *Dmitry Zavadskiy,* PRT
33. *Yelena Lukashevich,* RTR (Russian Radio and TV company)
34. *Sergey Pushkin,* RTR
35. *Leonid Kanfer,* TV Center (Russia)
36. *Aliaxei Pokrovsky,* TV Center


Siarhei Pushkin (RTR) holds his camera, smashed by the police.

Representatives of the Belarusian human rights organizations:

1. *Tatsiana Protska,* Chairman of the Belarusian Helsinki Committee (BHC)
2. *Zmicer Markushewski,* BHC observer
3. *Aleh Vowchak* Chairman of "Legal Assistance to the Population"
4. *Valiantsin Stsefanovich* vice-chairman of the Human Rights Center «Viasna»
5. *Kiryl Baznikin,* observer from «Viasna»
6. *Ales Danilchyk,* observer from «Viasna»
7. *Vadzim Kanapatski,* observer from «Viasna»
8. *Ales Sarnatski* observer from «Viasna»

Leaders of parties and movements:

1. *Iury Belenki,* acting chairman of the Christian-democratic party BPF, was severely beaten during the detention
2. *Iakaw Hutman,* President of the International Association of the Belarusian Jews
3. *Victar Ivashkevich,* vice-chairman of the BPF "Adradzhenne", editor-in-chief of the newspaper "Rabochy"
4. *Anatol Kryvarot,* member of the Christian-democratic party BPF
5. *Anatol Liabedzka,* deputy of the Supreme Soviet of the 13th Convocation, vice-chairman of the United Civic Party (people who detained him kicked him in kidneys with feet)

Besides them, one Czech and eight Polish citizens were detained.

LET'S DEFEND LIBERTY OF WORD

APPEAL OF PUBLIC ASSOCIATION «BELARUSIAN ASSOCIATION OF JOURNALISTS» CONCERNING MASS DETENTION OF JOURNALISTS ON MARCH 25 AND RUDE FORCIBLE ACTIONS OF LAW MACHINERY TOWARDS THEM.

The Belarusian Association of Journalists informs that on March 25, 2000, during celebration of the 82nd anniversary of Declaration of the Belarusian People's Republic in Minsk the police and the secret services detained more than 30 journalists. The police showed great enthusiasm detaining accredited correspondents of the Russian TV-channels NTV, PRT and RTR. They damaged the equipment in order to prevent the journalists from preparing their TV-reports. Members of shooting groups, other journalists of foreign and Belarusian mass-media were forcibly taken to the military unit of the Ministry of Internal Affairs based in Maiakowski street in Minsk.

The people who seized journalists didn't tell the reasons for their actions, some of the journalists were illegally routed. They couldn't inform their editorial offices, friends and relatives that they had been arrested. There were attempts to put journalists' hands into handcuffs. The police exposed the films shot by photo-correspondents.

Workers of the Ministry of Internal Affairs refused to inform the heads of the Belarusian Association of Journalists, who came to the military unit, about the reasons for detention of the journalists. None of them told his name or position. In some hours after the press-secretary of the Ministry of Internal Affairs, police lieutenant-colonel Dzmitry Parton had arrived, the majority of the journalists were dismissed. Some of them were taken outwards the city and left there.

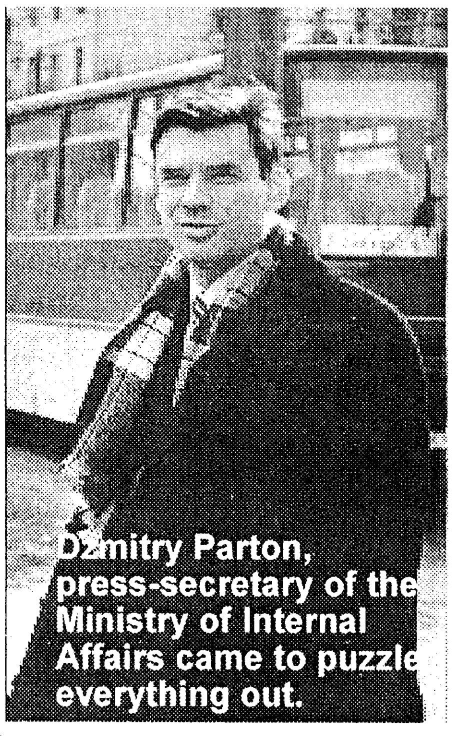
The Belarusian authorities again violate the constitutional right of the citizens to receive full, exact and timely information about activity of the State bodies and the political life of the country as well as the Law on press and other mass-media of the Republic of Belarus. Article No. 39 of this law witnesses that journalist has the right «... to be present in the places of natural disasters, accidents, military actions, places where the state of emergency is announced, at the meetings, demonstrations, places of publicly important events and give the information from these places.»

The Belarusian Association of Journalists expresses its categorical protest against the obvious cynic lynching of the journalists who execute their professional duty.

We claim from the authorities to take the appropriate measures for immediate investigation of this revolting incident and punish the people guilty.

We apply to Belarusian citizens calling them to support protection of journalists' right to freely receive, collect and distribute information. We call all our colleagues, the journalist community, international human rights organizations to express their solidarity in the struggle for liberty of word in Belarus.

Minsk,
March 25, 2000



Dzmitry Parton, press-secretary of the Ministry of Internal Affairs came to puzzle everything out.



Press-conference on results of «Day of Freedom» at the BPF office.

VALERY SHCHUKIN IS WELL-KNOWN IN VITSEBSK

On March 25 citizens of Vitsebsk celebrated the Day of Freedom (on March 25, 1918 the Belarusian People's republic was declared).

At 12 a.m. Uladzimir Pleshchanka, head of Vitsebsk Board of the Conservative-democratic Party BPF and Raman Salawian, member of the party, met near the regional library. In some minutes the honored member of "Viasna" Valery Shchukin joined them. Several policemen came up to them and demanded from Shchukin to get away from the library. He refused to do it. After that V. Shchukin, U. Pleshchanka and R. Salawian were detained and taken to Vitsebsk Chyhunachny DDIA.

At the same time a group of people went out of the orthodox church situated across the street. Zmicer Pimenaw was going in front of the procession holding an icon of Christ's Mother. In Freedom square all participants of the action were detained by the police and taken to Vitsebsk Kastrychnitski DDIA, where they were immediately judged. Zmitser Pimenaw, Iury Karpaw and H. Vasilewski were sentenced to three days of administrative arrest. V. Kanavalaw and I. Marozaw were fined 20 minimal salaries. V. Mialezhka and V. Akulaw were warned.

Valery Shchukin was kept in the special department of the Department of Internal Affairs of Vitsebsk Regional Executive Committee for two days. On March 27 he was taken to court. During the trial Shchukin managed to prove that he arrived to Vitsebsk in the capacity of journalist of the newspaper «Narodnaia Volia» («People's Freedom») and was interviewing chairman of Vitsebsk Board of the Christian-democratic Party BPF Uladzimir Pleshchanka at the moment of detention. But in spite of this the judge sentenced Shchukin to 10 days of administrative arrest for «resistance to the police». When the term of the arrest is over Valery Shchukin will be judged once more – for «participation in an unauthorized meeting».

We'll Make Crime Detection...

On March 30 Trial Over Four Participants of «March of Freedom» Didn't Take Place.

Consideration of the criminal case of the four participants of «March of Freedom-1» – Hleb Dohil, Herman Sushkevich, Andrei Valabuiew and Anton Lazaraw at Minsk City Court was appointed on March 30. These youngsters were detained immediately after the end of the action and were kept at the Investigative Isolator based in Valadarski street. Only under pressure of OSCE mission they were released on the eve of OSCE Istanbul summit under written undertakings not to leave the city, but the criminal case was not closed.

When the criminal case was initiated, the four youngsters, the leader of the Belarusan Social-Democratic Party «Narodnaia Hramada» Mikalai Statkevich and the well-known journalist and defender of human rights Valery Shchukin were accused of having violated Article No. 186.3 of the Criminal Code of the Republic of Belarus (CC RB) – organization and active participation in the group actions that rudely violate the public order. But in February 2000 Dohil, Sushkevich, Lazaraw and Valabuiew were excluded from the old case and a new case was brought against them. In the new case they were also accused of having violated the second part of Article No. 201 (malignant disorderly conduct). For such violation one can be sentenced to up to 5 years of imprisonment.

On March 1 the Prosecutor's office submitted the case of Dohil, Sushkevich, Valabiew and Lazaraw to Minsk City Court. The trial was to have taken place on March 30 with Valery Kamisaraw as a judge... The Human Rights Center «Viasna» found out that H. Dohil, H. Sushkevich, A. Valabuiew and A. Lazaraw had left Belarus and asked for political asylum in one of the West-European countries.

So, the judge had to apply to the law machinery claiming to start the crime detection and changed the defendants' restraint into arrest again. If the detection gives no result the trial may be conducted in absentia of the defendants according to the norms stated in the Criminal-process Code of the Republic of Belarus.

It Is Torture

On March 23 activist of Barysaw branch of the Belarusian Social-democratic Party "Narodnaia Hramada"(BSDP "NH"), member of the Belarusian Helsinki Committee Ales Abramovich applied to the Human Rights Center "Viasna". He informed us that from February 14 till March 20 he had been kept in Isolator of Terminal Keeping of Barysawski City Department of Internal Affairs (he was sentenced to 35 days of administrative arrest for organization of three unauthorized pickets aimed at human rights protection).

It's worth mentioning that members of Barysaw branch of the BSDP "NH" didn't ask the city authorities for permission to hold pickets because they consider the existing power structures to be illegitimate since July 21, 1999 and announced about civic disobedience on August 8, 1999.

The first sentence (15 days of administrative arrest) Abramovich received for the organization of a picket on January 16 in the central square of Barysaw. The picket was directed against the dictatorship in Belarus. Participants of the action held posters with the slogans: "Down with dictatorship!", "Zakharanka, Hanchar...: Who is next?", "Hands off Chyhir!". During the picket Chairman of Barysaw branch of the BSDP "NH" Henadz Hawrusiew, Chairman of Barysaw Board of the BPF Anatol Askerka and Ales Abramovich were detained. Hawrusiew was sentenced to 7 days of administrative arrest, Askerka – to 3 days, Abramovich – to 15 in absentia.

The next sentence (10 days of administrative arrest) was given to Abramovich for participation in the unauthorized meeting that had taken place in the central square of Barysaw on February 6. The picket was directed against war in Chechnia. Activists of Barysaw youth organization "Maladaia Hramada" were also present. Participants of the pickets held posters: "Hands off Chechnia!", "Set Chechen people free!", "Down with the Russian imperialism!". The protocols of infringement of the first part of Article No. 167.1 of the Code of Administrative Infringements (CAI) were drawn on Anatol Tsialezhnikaw (under age, was warned) and Kastus Kuzniatsow (sentenced to three days of administrative arrest). Protocols of infringement of the second part of the same Article were drawn on Zmitser Abramovich (sentenced to 7 days of administrative arrest) and Ales Abramovich (10 days).

A. Abramovich was detained during the picket in support of Barysaw businessman Ihar Lednik that was organized near Barysaw City Court. Participants of the action thought that there were no reasons for arresting the businessman and that the accusations against him were groundless. Ales Abramovich was taken to the Isolator of Terminal Keeping of Barysaw City Department of Internal Affairs. On the following day he was judged and sentenced to 10 days of administrative arrest. But he had to spend 35 days in the Isolator because of the previous 2 sentences. After he was dismissed, A. Abramovich applied to "Viasna".

In his application Ales Abramovich wrote the following: "I consider this long-term imprisonment as a torture because of the following reasons:

— I was deprived of walks for all 35 days of imprisonment. This had a very bad impact on my lungs;

— The guards repeatedly placed people with the open stage of tuberculosis into my cell, though it's strictly forbidden by sanitary norms. The prisoners warned the police about their illness before being taken into the cell. I know the names of the ill people: Henadz Sakalowski (spent 4 days in the same cell with me) and A. Maiseenka. Maiseenka spent only 2 days in my cell, then he started spitting blood and the guards had to call an ambulance. The doctors who examined Maiseenka said that one mustn't breeze the same air with him and to place other people in the same cell with him is strictly forbidden. After the doctors examined A. Maiseenka and H. Sakalowski these prisoners were immediately released from prison. During my arrest there were anti-sanitary conditions in the cell: humid stuffy air, bed-bugs and lice".

It's worth mentioning that for the last two years (1999-2000) A. Abramovich has been detained and arrested for six times. He spent 62 days in prison because of the administrative punishments he was given.

Informational department of "Viasna"

«They Threw Us Faces to the Floor, Kicked With Feet and Beat With Gum Sticks...»

(begins on page 3)

From Uladzimir Khalip's application: «On March 25, during the mass seizure of participants of the celebration of the Day of Freedom me, Uladzimir Khalip, Belarusian writer, an my daughter, journalist Iryna Khalip, were detained by the police. They detained us at 12.17 a.m. in Iakub Kolas's square in front of the Philharmonic Society Building, using brute force. We were thoroughly routed. During the day they routed us thrice, asking me where I had put my arms. We were boxed into a police car. There was such a pack that nobody could move. When the car started the elderly people began to choke. But the guards didn't pay any attention to our claims to help the choking. We were put into the military unit in Maiakowski street and were kept for some hours, being guarded by soldiers of the interior forces. All in all there were about 200 people.

The police thoroughly looked through my papers, photographed the detained people face and half-face, giving personal number to each of them. Approximately at 5 p.m. we were discharged. When we went out of the military unit a police officer ran out and ordered us to immediately disappear. He said that we would be arrested and taken to a special police department otherwise. I consider this actions of the police as a rude violation of my constitutional rights.»

From Adam Shpakowski's application: «I was surprised that Iakub Kolas square was guarded by the police and asked a police major about this (by mistake I called him a lieutenant). He got angry, started pushing me and told the police to arrest me. In some time this very major put another man into the police car (No. MH 02-62) where I was sitting. When he saw me he again got angry, first beat me in the face with antenna of his mobile phone, then with his fist and smashed my nose.»

From Andrei Nebyshynets's application: «When I saw two policemen seizing a woman I came up to them and pulled her away. Then they quit the hold of her and seized me. They splashed tear-gas into my face and boxed me into a car.»

From Siarhei Seliazen's application: «On 25.03. 2000 I was groundlessly detained by the police. I was kept at Savetski DDIA for almost 5 hours. After that I was taken to the special police department in Akrestsin street, where I was kept for 2 days. On 27.03.2000 I was taken to Savetski District Court in the capacity of defendant.»

From Siarhei Viarheichyk's application: «On March 25 my friend Siarhei Kanapelka and me had bought beer at a shop near «Kastrychnik» cinema and were drinking it when a police bus arrived. About 8-10 policemen ran out and arrested us. They took us to the military unit in Maiakowski street where we were kept till 5 p.m. Then we were put into Partyzanski DDIA where the policemen kept us till 8 p.m., composing protocols. Then we were taken to the special police department in Akrestsin street and were kept there for 2 days. On 27.03. 2000 we were taken to Savetski District Court. The judge called two ostensible witnesses – policemen from Partyzanski DDIA. One of them didn't recognize me, the other one said that he had detained me near the Philharmonic Society.»

From Ivan Kurmanovich's application: «I was seized by soldiers in green camouflage uniform without any reasons. I had only newspapers «Belorusskaia Delovaya Gazeta» («Belarusian Business Newspaper») and «Narodnaia Volia» («People's freedom») in my hands. I showed them the document that I was a participant



of liquidation of consequences of Charnobyl disaster and informed them that I was ex-colonel of police. They didn't pay any attention to this and boxed me behind the bars of the police car.»

From Aliaxei Shydlowski's application: «I was laid out, then policemen twisted my arms, made a control kick into my solar plexus and boxed me into the microbus where some policemen from special police forces were sitting. They threw me face to the floor. Then they put three people onto me. I had difficulties breathing as my chest began to collapse under the pressure. When I tried to tell the policemen I was a journalist they insulted me using foul language. After that I was taken to a gym – a steel hangar in Maiakowski street.»

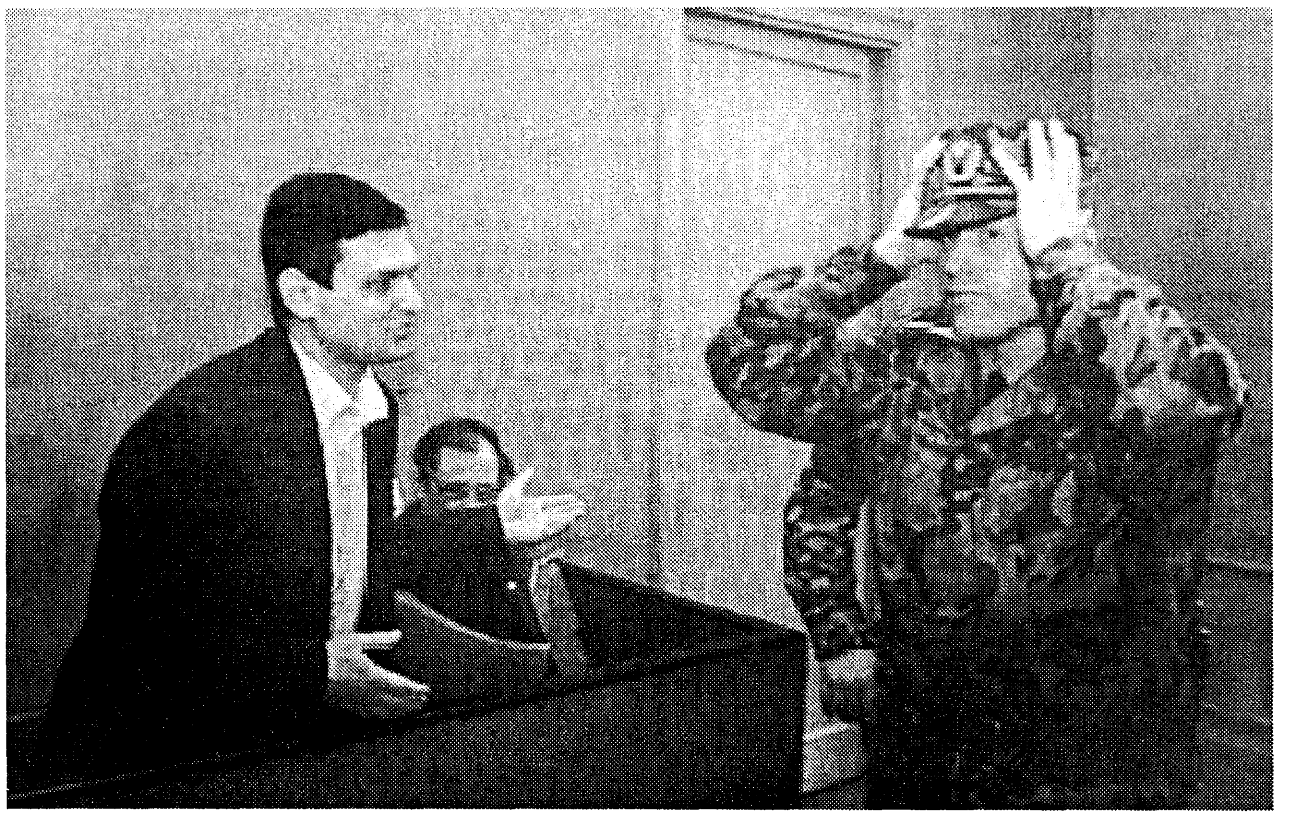
From Valery Rudenka's application: «When I went out of «Stalichny» supermarket I was seized by two policemen without any reason. They pulled me into the nearest police car with bars. They took me to some strange place with a lot of foreigners and journalists. In some hours several people including me were taken to the outskirts of the city in a car, and were left somewhere in Chyzhowka suburb.»

From Aliaxandr Karyzna's application: «I am a pensioner, 69 years old. On March 25 I was sitting on the bench near the Philharmonic Society. (...) I was seized by a group of four people with dogs and put into a cage of the police car. At 12.45 I heard a voice shouting: «Help!» The policemen were putting a woman with a blue face into the car. She was choking from asthma or a heart attack. She asked the guards to discharge her, call for a doctor, and give her air to breathe. A young guard opened the hatch on the car's roof. He said it was all he could do for her. She was put into the second cage. A dog lied down near the door (...) At the special police department I saw Iuras Belenki. His face was covered with bruises. He told me that he had been beaten.»

From Sviatlana Kanoika's application: «All of us were insulted, there were many beaten people. We didn't have any possibility to inform our relatives about our location. The policemen didn't let us make telephone calls. An elderly man felt bad, but they didn't even give him water.»

ANDREI KLIMAW: «LUKASHENKO IS AFRAID OF ME. AND IT MAKES ME HAPPY»

On March 17 the trial over deputy of the Supreme Soviet of the 13th Convocation Andrei Klimaw was finished. Leninski District Court Board with the judge Vera Tupik at the head spent seven months analyzing the case materials. Andrei Klimaw was found guilty in violation of two Articles of the Criminal Code (CC): part 4 of Article No. 94 (exceptionally big-scaled theft of property with the previous plot with a group of persons) and Article No. 171 – official sham. He was sentenced to 6 years of imprisonment at a colony with three-year deprivation of the right to take governing positions at enterprises of any form of property after his discharge.



Klimaw's arrest created a great stir two years ago. Even at that time nobody doubted the political character of this event. The first formal reason for the arrest was accusation of violation of order of business activity. In a year and a half the investigators managed to add three more points to the accusation: official sham, exceptionally big-scaled theft and defraud of a credit. Eight more people became defendants in Klimaw's case. The house in Lodachnaia street in Minsk that was finished a year ago by Klimaw's building firm had become the main object of the accusation. As it was stated in the accusative conclusion and later confirmed by the court the firm with Klimaw at the head had systematically appropriated budget money on fabricated documents in 1993-1999 (during the process of the house building).

On May 20 1993 Klimaw's firm and the Department of the Communal Building (DCB) of the State Executive Committee signed the agreement about the house building. Andrei Klimaw wasn't yet elected deputy of the Supreme Soviet, he was building houses and was known as one of the youngest and the most perspective Belarusian businessmen. At that time Lukashenko neither participated in the Presidential Elections, nor even made a scandal with «a box of nails» to oust the speaker of the Supreme Soviet Stanislaw Shushkevich.

Here we'll try to describe everything that happened to Andrei Klimaw from the very beginning.

It evidently appears from witnesses of ex-workers of the building firm that during signature of the treaty they were warned about elite status of the house in Lidachnaia street and were told to built it at a quicker tempo with retention of quality. The fact that Klimaw's firm was chosen for the building of the house witnesses confidence of the state structure in the firm's workers and certainty in the quality of work.

A year passes. In addition to running his own bank and firm Klimaw begins to issue a newspaper under his name. Lukashenko is elected president. Klimaw's newspaper, starts to moderately criticize the style of the presidential governing. In Autumn 1994, as it was found later, workers of Klimaw's small business enterprise find some mismatches in the documentation concerning building of the house for diplomats. These mismatches appeared because the project was made in 1984, and its budget – in 1986...

> **From the commentaries given in the court room:**
>
> ***«We consider it to be a mockery over justice. Several years ago we already knew that Andrei Klimaw was against Lukashenko's government. This trial is a shining example of political persecution. Now I will immediately call to London. We plan not only to make a statement against the sentence given to Klimaw, but also to initiate a big-scale action to defend the sentenced opposition activist».***
>
> Matty Pringle, observer of «Amnesty International», London.

One more year passes. The criticism of Klimaw's newspaper towards Lukashenko hardens. After the referendum one of the newspaper's journalists is sentenced to 15 days of administrative arrest for wearing a badge with white-red-white flag. A. Klimaw stands for deputy's position in the Parliament. At that time his newspaper is substituted: one of the journalists writes an article based on KGB's compromising materials against the other candidate for deputy's position. Both of the candidates are elected, but soon Klimaw closes his newspaper down. At that time workers brick the building in Lodachnaia street without any resonance for the publicity. The works lasts for 10 months. The firm workers inform Klimaw and the people responsible for the building process about the overrated quantity of bricks (it was overrated even in the project-budget documentation). A. Klimaw orders, speaking in building terms, to percent the materials on the budget. Later he will have to explain why: he didn't want to break the building time-table in order to pass the building to the client in the right term. Klimaw planned to make the final financial settlements between the firm and the DCB of the Executive Committee after the end of the building process. It's worth mentioning that by this time Klimaw already had a good experience in the building industry.

Time passes. In 1996 the country faces the state of political crisis. In 1996 the world-known referendum is carried out. In November the crisis of relationship between branches of po-

wer reaches its extreme point. I remember that month for the principal position of some deputies. One of them was Andrei Klimaw.

I remember the session of the Supreme Soviet on November 26 quite well. In my notebook I wrote: «26.11. 96. At 10 a.m. the sitting of the Supreme Soviet began. A. Klimaw addresses to the Supreme Soviet after S. Bahdankevich:

«Today, on November 26, 1996 a coup d'etat has been made», — he says. «Aliaxandr Ryhoravich Lukashenko created his illegal «parliament...»». Deputy Klimaw told chairman of the Supreme Soviet Siamion Sharetski to take the functions of the country's governor. He called Lukashenko «ex-president» and expressed the thought that it was necessary to arrest and judge him. Klimaw, being a former officer of interior forces, even stated his readiness to put Lukashenko under arrest with his own hands.

Chairman of the Supreme Soviet S. Sharetski called Klimaw's speech too emotional.

Deputy S. Domash asked Klimaw not to make such speeches any more, because sooner or later the criminals would be punished. He also called deputies to preserve their unity in order not to break morally: «The most honest people gathered there. Now the most necessary thing is to survive, we'll discriminate our opinions later».

After the victorious cheat of the Belarusian people and the «velvet» dispersal of the parliament one could expect Lukashenko's revenge to its deputies. But the autocratic president didn't pay Klimaw off immediately. At first everything was quiet. There were even rumors that Klimaw had transferred his money abroad and was going to emigrate. It wasn't true..

At that time building of the house in Lodachnaia street was facing some financial problems. Passing the house to the Executive Committee was postponed several times because of inadequate financing by the clients. The State reserved an elite house but soon... got poor. We won't give here any guesses where the «vertical» could have put their money (there's no sense in it, as in 1996 opacity of local budgets was «authorized» by means of referendum). But the contractor wanted to execute the order and tried to get into debts by taking a credit in a bank. However, according to the information given to the court by witnesses and the defendants, Klimaw didn't manage to get any credits. After this Klimaw decided to take a 200-million-ruble credit in his own bank. While bearing witness representatives of the bank said that all the money had been returned. Some of the witnesses expressed the thought that while building the house partially on the credit and advance basis, Klimaw had put his own money into the building and actually donated it to Minsk. Nevertheless, at the beginning of the trial, in July 1999 two of the nine defendants, Andrei Klimaw and Leanid Valkovich, former chief-accountant of the firm, were accused of violation of Article No. 150, defraud of a credit. Neither of them was found guilty.

The statement of the pre-investigation that Klimaw had also violated the order of business activity by working without a license also wasn't proved. It was found out that at the time of the treaty signing the building firm «Andrei Klimaw and Co.» really didn't have the license. But the state body didn't pay any attention to this as there was another license: «Andrei Klimaws' Small Business Enterprise». The firm's work under this license was found absolutely legal and the defendants were found not guilty of violation of Article No. 151 of the Criminal Code.

From the commentaries given in the court room:

«Andrei Klimaw had built the most beautiful house in Minsk, and was sentenced to six years of imprisonment for this... I think that this sentence will be reviewed and the firms actions will be judged in the opposite way. I have no doubts in it, it is a question of time. I think it will happen soon and Klimaw won't have to spend six years in prison».

Mikhail Chyhir, candidate for Presidential position at Presidential Elections in 1999, former prisoner of consciousness, now – a defendant.

Two years ago, when Klimaw was arrested, nobody doubted the reason, because the legitimate Supreme Soviet of the 13th Convocation survived in spite of withdrawal of some members. The Commission on investigation of constitution violations made by Lukashenko that had been created at the end of 1996, still existed. At the beginning of 1998 A. Klimaw tries to intensify its activity: he submits the list of the violations found to the local administrations of Belarus for the officials to know whom they obey. In some days Klimaw is arrested. In a year the head of the commission Victar Hanchar and his companion Iury Zakharanka disappear...

Klimaw wasn't immediately accused of incorrect calculations during the house building. At first the formal reason for the arrest was the absence of the license. At any rate, Klimaw didn't take the blame. Being a deputy of the legitimate Supreme Soviet of the 13th Convocation, he stated that his arrest ought to have been confirmed by the Supreme Soviet. Instead of such confirmation the Supreme Soviet adopted the note of indignation and claimed to discharge Klimaw. Being under investigation, Klimaw was kept in Valadarski street and refused to answer investigators' questions because of his diplomatic immunity. During the last two years he went on hunger-strikes and was beaten by the guards several times.

The process of building of the house in Lodachnaia street continued. Soon the house became one of the central points in the world-known diplomatic scandal. Lukashenko proposed foreign diplomats to remove to this house from their Drazdy residence that ostensibly needed «reparation of canalization system». In spite of the scandal some diplomats agreed to this proposal. Their unwillingness to have any quarrels with the Belarusian authorities wasn't the only reason: the

(continued on page 10)





«Lukashenko Is Afraid of Me. And It Makes Me Happy»

(continued from p.8-9)

house really possessed elite status, in the city there are few buildings of such quality... But the chief-manager of the project didn't manage to carry out the «free-will mutual settlements» (a quotation from his trial witnesses). His arrest prevented him from doing this. Nobody returned the money he had put into the building. Further more, he was accused of theft of 3 086 567 372 rubles (non-denominated sum) with the previous plot with a group of people.

It seems that the case materials ought to have been discriminated by qualified specialists in the branch of building and project-budget documentation, because of great number of figures, special terms and episodes of accusation. The essence of this accusation is: from 1993 to 1999 Klimaw together with a group of people were ostensibly drawing false way-bills in order to receive building materials from various enterprises but didn't really receive them. DCB of the City Executive Committee, on the contrary, ostensibly remitted to the contractor big sums of money on falsified documents. There's an interesting point in the case: though names of the former vice-portreeves of Minsk and Sanct-Peterburg Uladzimir Iarmoshyn and Uladzimir Putin stood in some treaties, neither of them were even called to the court. Of course, these people are not mentioned in the sentence. On the other hand, flats that Klimaw received from the Executive Committee in 1995 on account of the debt are mentioned. There you can also find a hint that in 1994 the firm bought some cars using the stolen money. But the case materials witness that at that time less than a year passed since the beginning of the money theft... We wonder how much at that time those cars cost? Andrei Klimaw explained to the court that the cars had been bought for the firms' profit and there wasn't any connection between the house in Lodachnaia street and the purchase.

One of the investigators of Klimaw's case admitted to Mr. Vik that he had many difficulties finding accusations. One more interesting detail: at first the people who had some relation to the building in Lodachnaia street participated in the case materials in the capacity of witnesses, later they became the accused. When the investigators threatened them with prison some of these people began to speak. During the trial they refused the things they had told the investigators. One of the witnesses admitted that she had made a mistake while typing one of the documents, missed there a comma. Only one of the firm workers said in the court: «I should have applied to the law machinery earlier».

Half of the accusations given to the defendants at the trial were disproved. Tatsiana Zhurawliova, vice-head of a bureau of the Executive Committee's DCB, and Liudmila Rahachova (former state official, now forks at orthodox curacy) were found not guilty of violation


Andrei Klimaw: courage and moderation...


Tatsiana Klimava: sorrow and despair...

of the second part of Article No. 166 (abuse of the official position) and Article N. 185 (misprision). The former head of the building ground Ivan Lukianchuk, and the former firm workers Hanna Shakhava, Kanstantsin Shyshow and Aliaxandr Kalatsikhin (who wasn't involved in the house building and came to know about the overrated quantity of bricks only during the investigation) were found not guilty of violation of Article No. 117 of the CC (official sham). One more person, Liudmila Iermalovich, was justified on the fourth part of Article 91. Though all the other defendants were found guilty of violation of this Article, this accusation was statute-barred to most of them. So, the seven defendants who could be imprisoned with Klimaw or share the joy of his discharge received conditional one- or two-year sentences or were exonerated. Only Leanid Valkovich was sentenced to four years of imprisonment. Klimaw and Vaslkovich were found guilty in commitment of the same crimes: exceptionally big-scaled theft of property with the previous plot with a group of persons and official sham. By the way, the final expression of Article No. 171 in Klimaw's case sounded as an «incite to an official sham». Though such actions are not considered in the CC, for violation of Article No. 171 Klimaw was sentenced to two years of imprisonment. According to unofficial sources 61-year-old Valkovich can be pardoned generally in several months. In this case it'll be very clearly seen what was the purpose of the case...

Tatsinana SNITKO

Commentary from the court:
«This sentence was like a compliment to me. It means that Lukashenko seriously took my words he could be arrested by any fire-squad senior lieutenant. He is afraid of me. And it makes me happy».
Andrei Klimaw,
political prisoner, deputy
of the legitimate parliament
of the Republic of Belarus.

The USA condemn the sentence given to Andrei Klimaw

Appeal of the press-secretary of the USA State Department James Ruben

The USA condemns the politically motivated sentence given to Andrei Klimaw, deputy of the Supreme Soviet of the 13th Convocation and a well-known leader of opposition to Lukashenko's regime. The regime's attitude to him was a shining example of mockery at justice from the very beginning. He was arrested in February 1998 and was kept in prison for 17 months before the trial. On December 12, 1999 he was severely beaten by prison guards. He was given medical care only after intrusion of the consultative-observing OSCE group and the USA Ambassador Daniel Speckhard.

Such actions as this sentence, the ostensible trial over the former premier-minister Mikhail Chyhir that continues up to now, prohibition to carry our opposition demonstrations witness that the authorities continue to demonstrate their ignorance towards the dialogue and don't want to create the necessary climate for free and fair elections they plan to carry out in Autumn.

We again call the Belarusian authorities to make certain steps towards the real dialogue with the democratic opposition and demonstrate more respect to the fundamental human rights. The most important thing for authorities to do is to preserve people's rights to assemblies and to guarantee the absence of obstacles for opposition actions that are going to be conducted in spring. Only such efforts will help Belarus to get away from the present constitutional and political dead end and break the international iso-lation Belarus got into because of actions of its authorities.

Washington, March 21, 2000

The Belarusian People Struggle

Reaction of International Publicity to Events That Took Place in Minsk on March 25, 2000

«...If we have a look on the former Soviet Union, we'll see that Belarus is in the worth state in many respects. The economy is in disastrous condition, people suffer, Lukashenko tries to suppress all attempts of the democratic opposition and really fights against the current of history. In Russia and Ukraine the situation differs from one place to another, but Lukashenko probably uses the greatest efforts to kill democracy and people's hopes...

Arrests of people, behavior of the police characterize Republic of Belarus not as a democratic, but as a police country. Frankly speaking, the main problem is that Lukashenko acts in an unconstitutional way and the opposition has no other alternative except going out in the streets. When they do this, they are arrested, beaten. It's a terrible situation...

One of the things a totalitarian dictatorship tries to do is to intimidate journalists and the population. This again happens in Belarus under Lukashenko's governing. And it will be stopped again, too. The International publicity won't allow the country to return back to Stalin's times Lukashenko wants to restore...»

Sam HADANSON,
American Congressman.

«... Personally I was very surprised with the events that had taken place in Minsk... A week ago, during «March of Freedom-2» there weren't so many problems. I think that it was a new occasion of police violence. I was informed that the majority of the arrested people were dismissed, but I don't know whether it is true.

I'm very concerned with the fact that a part of the demonstrators were detained on their way to the demonstration, severely beaten and arrested.

We will continue our efforts in the sphere of support to the dialogue between the opposition and the authorities. We act not for Lukashenko's convenience but for convenience of the Belarusian people. It's a slow process, but we visited Belarus and informed president Lukashenko about our thought. We manage to organize some kind of dialogue between the authorities and the opposition, but we will continue to force the Belarusian authorities to the dialogue concerning such real problems as the electoral law, access to mass-media and discharge of the political prisoners...»

Ionga VIRSMA,
member of the European Parliament
and the Parliament Commission that has recently visited Belarus.

«... The present political system of Belarus doesn't encourage development of relations between our countries.

It is an antidemocratic regime. Lukashenko doesn't tolerate the opposition and I, being a representative of the Polish Parliament, want to emphasize that we don't have any relations with the Parliament which was elected or appointed by Lukashenko for himself. The Polish Assembly maintains contacts only with the Belarusian Supreme Soviet of the 13th Convocation dispelled by Lukashenko.

Nowadays Belarus faces very difficult problems. Not only economic ones, but also political ones, problems in the sphere of human rights. That's why with every new day the protests against Lukashenko's regime become stronger and stronger. But the Belarusian Government concentrates its efforts on repression against participants of opposition actions instead of solving these complicated problems.

Lukashenko obviously ignores world public opinion. He preaches down widening of the national consciousness of the Belarusian people and eliminates development of the Belarusian-language mass-media, Belarusian schools, stands for the Russian-tongue mass-media».

Longin PASTUSJAK,
vice-chairman of the Committee on Foreign Affairs at Polish Seim

«... We, Lithuanians, are not at all indifferent to the things that happen in Belarus. Belarus is our neighbor. In addition we, Lithuanians, know the Belarusian people quite well. It's a peaceful, friendly people. Inwardly, it's a very democratic people. And I can't use another word except «genocide» for description of the things that the Belarusian regime does to its people.

But, in any case, in spite of the repression, we see that the Belarusian people struggle. They intent to be independent, live in a democratic country, in the family of the European peoples.

We, Lithuanians, consider Lukashenko's regime as illegitimate. We don't recognize it and don't maintain any contacts with its representatives. Lukashenko rudely violated the Constitution of his country and usurped the power.

I think, that Lukashenko's regime continues its existence because it is supported by Russia. Even the border with the Lithuania is guarded by the Russian forces.

But alongside this negative moment I see a very positive one. The Belarusian people start to arise from their knees. Sooner or later this movement against Lukashenko's regime will turn into such force that the democracy in Belarus will win...»

Ignatsas UDZHAVENIS,
vice-chairman of the Commission on Foreign Affairs at Lithuanian Soim

The publication was prepared according to the materials of the Belarusian Service of Radio «Liberty».

Trials And Sentences

Trials over the people detained on Freedom's Day, March 25, 2000 in Minsk were going on till the end of March, many of them were postponed to April. Advocates, public defenders and observers of the Human Rights Center «Viasna» attended most of them. The defendants were given the support necessary in such cases. Representative of human rights organizations noticed, that the same people were present at several trials as witnesses from the side of the authorities. They floundered in their witnesses because they couldn't have been in several places at the same time. Day by day the Human Rights Center «Viasna» registers all the events that take place at the trials...

On March 27 the trials over the people detained on March 25 began at Minsk Savetski District Court. Four judges: Ina Sheika, Ruslan Kazadaiew, Aksana Reliava and Liudmila Savastsian – conducted them.

The people who were summoned to the court by the call-up papers given to them by policemen on March 25 were judged during the first half of the day. During the second half trials over the people who were kept in the special police department on March 25-27 were conducted. These people were taken to the court in special police cars. There were only four cars and about 20 people were taken to the court in each of them. So, the people had to spend several hours in the dark and poky car bodies. The defendants were mainly accused of having violated the order of holding meetings, processions and pickets (Article No. 167.1 of the Code of Administrative Infringements (CAI) of the Republic of Belarus). The trials lasted from 10 a.m. till 7.30 p.m.

Here the information from trials is given:

1. *Anhelina Masiuta* (the trial was postponed to March 28)
2. *Andrei Hancharow* (the trial was postponed to March 31)
3. *Iury Barok* (the trial was postponed to March 28)
4. *Andrei Kazakevich* (the trial was postponed to March 31)
5. *Nina Bahinskaia* (the trial was postponed to March 31)
6. *Mikola Iawmenenka* (the trial was postponed to March 31)
7. *Ales Pliaskach* (the trial was postponed to March 31)
8. *Ihar Kartel* (the trial was postponed to March 31)
9. *Zmicer Hunich* (the trial was postponed to April 4)
10. *Ales Pahartsaw* (sentenced to 3 days of administrative arrest)
11. *Siarhei Kanapelka* (the case is submitted to Minsk Partyzandki District Department of Internal Affairs (DDIA), Siarhei is accused upon Article No. 167.2 of CAI – repeated violation of the order of holding meetings, processions and pickets).
12. *Adam Shpakowski* (the trial was postponed to March 31)
13. *Aliaxei Shakhowski* (the trial was postponed to April 3)
14. ***Mikola Hilchuk*** **(warned after two** days spent in the special police department in Akrestsin street)
15. *Victar Iavich* (the trial was postponed to March 31)
16. *Alesia Iasiuk* (the case was directed to further investigation)
17. *Anatol Liabedzka* (the trial was postponed to April 4)
18. *Iuras Belenki* (the case was directed to further investigation)
19. *Andrei Iahoraw* (justified)
20. *Uladzimir Zhyvitsa* (the trial was postponed to March 31)
21. *Iawhen Kardash* (the trial was postponed to March 28)
22. *Siarhei Ptsitsyn* (the trial was postponed to March 28)
23. *Piotr Patapionak* (the trial was postponed to March 29)
24. *Uladzimir Feaktystaw* (the trial was postponed to March 29)
25. *Kavalewski*, name unknown (the trial was postponed to March 29)
26. *Ryhor Hitlits* (the trial was postponed to March 29)
27. *Siarhei Viarheichyk* (the trial was postponed to March 29)
28. *Andrei Nebyshynets* (the trial was postponed to March30)
29. *Siarhei Sawchyts* (the trial was postponed to March 30)
30. *Siarhei Seliazen* (the trial was postponed to March 30)
31. *Siarhei Holub* (the trial was postponed to March 31)
32. *Victar Ivashkevich* (the trial was postponed to March 30)
33. *Felix Svip* (the trial was postponed to March 30)
34. *Aliaxandr Brezin* (citizen of Brest region, justified)
35. *Uladzimir Iliukevich* (the trial was postponed to April 4)
36. *Aliaxandr Homan* (the trial was postponed to March 28)
37. *Mikhail Sharai* (the trial was postponed to March 29)
38. *Siarhei Shechko* (the trial was postponed to April 3)
39. *Maia Kliashtornaia* (warned)
40. *Siarhei Pianykh* (the trial was postponed to March 30)
41. *Ales Mikalaiew* (warned)
42. *Zosimaw,* name unknown (the trial was postponed to March 30)
43. *Valery Holub* (warned)
44. *Mikhail Hladukhaw* (sentenced to 5 days of administrative arrest)
45. *Aliaxei Kukharonak* (the trial was postponed to March 30)
46. *Aliaxandr Miadzvedzew* (the trial was postponed to March 29)
47. *Anatol Rabkavets* (the trial was postponed to April 4)


The meeting in Banhalor Square.


Minsk, March 25, 2000.



48. *Iawhen Lemesh* (the trial was postponed to April 4)
49. *Ales Bondaraw* (sentenced to 3 days of administrative arrest)
50. *Ales Kaputski* (the trial was postponed to April 5)
51. *Ales Chakholski* (the trial was postponed to April 5)
52. *Leanid Valui* (the trial was postponed to March 28)
53. *Mikhas Novik* (the trial was postponed to April 6)
54. *Uladzislaw Viarowkin* (the trial was postponed to March 30)
55. *Krawtsow,* name unknown (warned)
56. *Mikola Charnavus* (no information)
57. *Ihar Shymanski* (the trial was postponed, date unknown)
58. *Aliaxandr Alezhka* (the trial was postponed to April 4)
59. *Anatol Rybkavets* (the trial was postponed to April 4)
60. *Uladzimir Burdyka* (the trial was postponed to March 29)

On March 28 the judge Ruslan Kazadaiew considered the administrative cases. During the trials there were many false witnesses from police- and military witnesses who participated in detentions. During insight with the case materials submitted to the court some violations were also found. For instance, all the protocols of detention were written in the same manner. Besides, the policemen who didn't detain people on March 25 participated in compositions of the reports. Among the police- and military witnesses there were people who hadn't participated in detention of the defendants, too.

During consideration of the administrative case of Iury Barok, catholic priest from Shklow area of Mahiliow region the judge had to compose a paper to Main Board of Internal Affairs about punishment of the policemen Ramanowski and Valodzin for false witness at the case consideration.

On March 28 the following cases were considered:

1. *Anhelina Masiuta* – warned
2. *Iury Barok* – warned
3. *Mikola Iawmenenka* — the trial was postponed to March 29
4. *Iawhen Kardash* – the trial was postponed to April 3
5. *Siarhei Ptsitsyn* – fined 50 million of Belarusian rubles
6. *Aliaxandr Homan* – warned
7. *Leanid Valui* – the case was closed
8. *Mikola Charnavus* – the trial was postponed to March 31.

On March 29 the judge Ina Sheika considered eight cases.

Here are the results of the trials:

1. *Piotr Patapionak* – the trial was postponed to April 3 because of absence of police-witness.
2. *Uladzimir Feaktsistaw* – was fined 20 million rubles.
3. *Uladzimir Kawalewski* – the case was stopped because of absence of corpus delicti.
4. *Ryhor Hitlits* — the case was stopped because of absence of corpus delicti.
5. *Mikhail Sharai* – the trial was postponed to April 3.
6. *Mikalai Statkevich* – fined 20 million rubles.
7. On March 28 *Viachaslaw Siwchyk* was detained and taken to the special police department of the Main Board of Internal Affairs of Minsk Executive Committee. In the morning on March 29 he was taken to Savetski DDIA where he was kept till 4 a.m. Then he was taken to Savetski District Court. When Siwchyk said that he needed an advocate to be present at the case consideration the case was postponed to March 30.
8. Judge Aksana Reliava considered the case of *Siarhei Viarheichyk* and warned him.
9. Judge Ruslan Kazadaew postponed consideration of *Uladzimir Burdyka's* case to April 3.
10. Judge Liudmila Savastsian considered administrative case of *Aliaxandr Miadzvedzew* and warned him.

On March 30 consideration of administrative case of vice-president of the Congress of Independent Trade-unions *Victar Ivashkevich* was appointed. It was postponed to April 4 because of the defendant's illness.

On March 30 nine administrative cases against participants of the unauthorized on March 25 were considered by judges of Savetski District Court Ina Sheika, Aksana Reliava and Liudmila Savastsian.

1. *Siarhei Pianykh* – was justified
2. *Andrei Nebyshynets* – was fined 44 million rubles (about $50)
3. *Siarhei Selezen* – was warned
4. *S. Sawchyts* – was warned
5. *Aliaxandr Zosimaw* – was warned
6. *Felix Svib* – the trial was postponed to April 4
7. *Aliaxei Kukharonak* – the trial was postponed to April 4
8. *Ihar Shymanski* – the trail was postponed to April 4.
9. *Uladzislaw Viarowkin* was first judged on March 27. As a police-witness refused to bear witness, the trial was postponed to March 30. During the trial the second police-witness, captain Andrei Uladzimiravich Fedziakin didn't recognize the defendant. Viarowkin stated that he had been detained near the Kamarowski Market. The police captain said that someone who resembled Viarowkin had been detained near the Central Supermarket. Then he said that he hadn't detained anybody himself but had only ordered to detain people over a mobile phone.

During the trial Viarowkin described the process of his detention. Near the Market Viarowkin saw policemen setting their dogs against the girl. The dogs tore her bag off her back and began to bite it. Viarowkin applied to a police officer trying to defend the girl. For this attempt to speak to the officer Viarowkin was seized by soldiers. The girl was taken into the same police car with Viarowkin. The dogs continued tearing the bag for a long time. The policemen couldn't pull the dog away. This fact was proved. The girl's name is Maryna Azaronak.

On March 31 nine administrative cases were considered at Minsk Savetski District Court Judges R. Kazadaiew, I. Sheika, A. Reliava and L. Savastsian made the following sentences:

1. *Aleh Hruzdzilovich* (journalist) – the case was closed
2. *Andrei Hancharow* – the case was closed
3. *Aliaxandr Pliaskach* – the case materials were directed for further investigation
4. *Andrei Kazakevich* – was warned
5. *Victar Iavich* – was warned
6. *Uladzislaw Zhyvitsa* – the case consideration was postponed to April 4.
7. Adam Shpakowski – was fined 20 minimal salaries (about $20)
8. *Siarhei Holub* – the case materials were directed for further investigation
9. *Nina Bahinskaia* – the case materials were directed for further investigation

The trials will continue on March 3-5.

The Information Department of HRC «Viasna».

EVENTS FACTS COMMENTS

(Beginning on p.1)

On March 15 President of the international association of the Belarusan Jews Iakaw Hutman returned from the symposium on Holocaust's victims that took place in Austria. An unknown anti-Semite drew David's star on his flat's door. It's another evidence that anti-Semites in Minsk remain unpunished and are getting more active. This time they directed their action against Iakaw Hutman who protects honor and dignity of Jews from numerous manifestations of anti-Semitism. In private, he protests against the anti-Semitic book "War Based on Laws of Cruelty" issued by the Joint-Stock Company "Orthodox Initiative". The book was freely sold at Minsk book-stores.

On March 16 in t. Baranavichy (Brest region) Maryna Filimonenka and Halina Bahdanovich were detained and taken to a police-point for posting announcements concerning an officially authorized opposition picket.

On March 17 at Minsk Leninski District Court A. Klimaw was found guilty on two of the four accusation points and sentenced to 6 years of imprisonment in a strict-security colony with confiscation of property.

On March 17 a court sitting on the criminal case against ex-minister of Belarus, Mikhail Chyhir, took place. This sitting again confirmed that all the accusations against Chyhir were groundless. At the sitting the results of expertise of Chyhir's signature in the documents of the Canadian firm «Karuna». The expertise proved that the signature was not Chyhir's, it was fabricated.

On March 18 the congress of one of the oldest Belarusian human rights organizations, Public Association «The Belarusian Republican League of Human Rights» (BLRHR), took place. At the congress Uladzimir Novikaw was unanimously dismissed from position of the chairman of BRLHR for «neglect of the statute aims and tasks of the organization, deliberated blocking of activity of its Executive Committee, excess of powers of the chairman of BRLHR, distribution of inaccurate information about the organization activities through mass-media and moral harm to its founders and members». We should specify that one of the main reasons for this dismissal were several Novikaw's speeches on the Belarusian TV, in which he assured people that the situation with human rights in Belarus was wonderful and the only people to violate these rights were the opposition... Valery Dunaiew was elected new chairman of BRLHR.

On March 19 members of «Young Hramada» and «Young Front» carried out an officially authorized picket under the slogans: «The Belarusian youth for alternative military service and professional army» in t. Barysaw (Minsk region). Barysaw Executive Committee gave one of the worth places for the picket, a platform between a fence and a stadium tribune. From the very beginning of the picket there were about 50 «police-spectators». In spite of this occasion, there also gathered a considerable number of people who received fly-sheets and newspapers. After the picket the activist of «Young Front» Pavel Lyskavets was detained. Police captain Aleh Kiryn tried to intimidate him with fines and other trouble. In three hours Pavel was released.

On March 20 children of the Belarusian prisoners of conscience went to Sweden for a ten-day rest. The delegation consisted of children of Uladzimir Kudzinaw, Andrei klimaw, grandchildren of Valery Shchukin, all in all 10 people.

On March 20 citizen of t. Lida (Hrodna region) V. Heben was called to Lida Court where he was charged with violation of Article No. 166.1 (disrespect to the court). The thing is that on November 7, 1999 the police arrested Heben at a public transport stop. The policemen routed him and found two fly-sheets with pictures of an unknown person. The policemen stated that it was Lukashenko and composed a protocol. On November 20 the trial over Heben took place (Heben weas accused of violation of Article o. 167.2). The judge didn't inform Heben about the sentence made. He said that Heben would receive the necessary information by post in three days. On February 18, 2000 an unknown man came to Heben's flat. He didn't tell his name, showed no documents, and immediately started attaching the property. Only at that time Heben was informed that he had been sentenced to pay 14 500 as a fine. On February 19 V. Heben applied to the court secretariat, bud didn't manage to receive any confirmation of the sentence. The law-enforcement officer, who had come to Heben's flat on February 18, applied to the court and accused Heben of having forcibly taking him out of the flat. This application started a new proceeding.

On March 21 Mikalai Aharodnik and Raman Hundar were arrested in t. Baranavichy for posting of invitations to the officially authorized opposition action called «Day of Freedom». In spite of the fact that the boys had a copy of permission of Baranavichy Executive Committee they were beaten by the policemen, one of them even posted an invitation on M. Aharodnikaw's chest. The arrested were taken to a police-point, where they were kept for an hour and a half. They were not allowed to make telephone calls to their parents. Then they were dismissed. With the assistance of HRC «Viasna», M. Aharodnik and Raman Hundar wrote a complaint to the Prosecutor's office concerning the policemen's illegal actions.

On March 21 the first number of the independent magazine «Courier» appeared at the news-stands of «Saiuzdruk». By the way, in Autumn 1999 publication of this magazine and nine more editions was prohibited by the Belarusian authorities. «Courier» was one of the first to «break through». The magazine is edited by Ihar Hermianchuk, the former editor-in-chief of the newspaper «Svaboda» («Freedom»). This magazine is the first public-political edition like American «Time» or Russian «Ahaniok» («Light»). The first num-ber has the circulation of 5 000 copies. It will be published monthly, but the editors plan to publish it once a week in future.

On March 23 five activists of Young Front (Siarhei Zhewlakow, Mikola Siomukha, Kastsiukevich Siarhei, Dasko Kastus and Raman Pronaw) were detained near Kamarowski Market in Minsk for sticking fly-sheets with invitation for the opposition action "Day of Freedom". All of them were taken to Savetski District Department of Internal Affairs (DDIA) where they were kept till 2 p.m. on March 24. According to Siarhei Zhewlak's witness he was kept there till 1 p.m. in spite of his being under age. The policemen informed his mother about his detention only at 12 a.m. on March 23, which is a violation of CIA. Siarhei also said that the policemen had insulted him and his friends using foul language and threatened to massacre them.

The policemen composed protocols of infringement of the third part of Article No. 143 of CAI (violations of rules of improvement and maintenance of settlements) and sanitary norms (sticking of announcement in places that are not meant for this, is punished by a fine up to 1 minimal salary) on all of the detained persons.

On March 23 Rechytsa Court sentenced Valiantsin Hulai to 1,5 years of conditional imprisonment with obligatory drawing into corrective labor for his refusal to serve in the army. Being a member of the religious community of Jehovah's Witnesses Hulai refused to serve in the army because of his religious views. He asked the authorities to give him a possibility to serve alternatively. On February 23 he was arrested and taken to court with his hand in handcuffs. The trial began on March 22, on March 23 the judge Sviatlana Surpo announced the sentence.

On March 25 the 82nd anniversary of Declaration of the Belarusian People's Republic was celebrated. Processions, meetings, pickets were carried out in the majority of the biggest cities of the country. About 500 people were detained during the opposition action in Minsk. Among them there were many journalists, members of human rights organizations, foreign citizens. More than 2 000 people participated in the meeting and procession in Hrodna. Meetings and procession were also carried out in Mahiliow, Vitsebsk, Brest, Lida, Babruisk, Baranavichy, Navapolatsk, Svislach, Smarhon, other towns and cities.

Eight people were detained after the meeting in Babruisk, seven – in Vitsebsk, one – in Baranavichy.

On March 28 Mikalai Statkevich, Chairman of the Belarusian Social-democratic Party "Narodnaia Hramada" received a call-up to Minsk Savetski District Court. He was to be judged as an organizer of the meeting and procession devoted to the celebration of Declaration of the BPR on March 25. In the first half o f March 29 consideration of Statkevich's case began. The judge postponed the trial and let Statkevich go. When Statkevich came out of the court building he was immediately seized by policemen and forcibly taken to Savetski DDIA. In the second half of the day consideration of Statkevich's case was continued. He was found guilty in violation of Article No. 167. 1 of the Code of Administrative Infringements of the Republic of Belarus and fined the sum of Belarusian rubles equal to $50.

At 3.30 p.m. *on March 28* Viachaslaw Siwchyk, one of the organizers of the meeting devoted to the Day of Freedom (March 25) was detained by policemen from criminal search near the BPF's office in Minsk. When Siwchyk went out of the office together with Siarhei Abadowski a car stopped near them. People in civil clothes jumped out of the car. They said they were from criminal investigation department and told Siwchyk to get into the car. They were going to take him to Savetski DDIA. S. Abadowski asked them to tell him their names. They appeared to be Ihar Fiodaravich Kulinkovich and Uladzimir Siarheievich Stalinia. Then Abadowski asked those two men if the criminal investigation department didn't have any other things to do. The men answered that they had been ordered to take Siwchyk to Savetski DDIA and had to execute their duty.

On March 29 the «dialogue» between the public-political forces and the authorities officially began. About 90 parties and public organizations participate in it. There are few parties among these organizations, because representatives of the biggest opposition parties refused to participate in so called «dialogue» (or political farce to be more exact). The majority of the organizations that take part in this procedure are public assemblies of veterans, women, military sailors, people who had survived Leningrad blockade... Vice-speaker Uladzimir Rusakow represents the authorities.

In March vice-speaker of the Supreme Soviet of the 13th Convocation Anatol Liabedzka applied to A. Lukasenko with the proposal to confirm or dispose the information that Belarus had a treaty with Russia concerning return of Russian nuclear weapons to the Belarusian territory. In his interview to the newspaper «Novye Izvestiya» A. Liabedzka said that there was a high probability of existence of such treaty, because Belarus retained all the necessary objects for placement of these weapons, at least, the rocket-mines weren't destroyed... By the way, last year Liabedzka spent three days in a special police department and fined 75 million rubles for participation in anti-nuclear action.

The information department of «HRC Viasna».



TRUTH AGAINST FALSE

On March 17 «Young Front» carried out quite unusual action devoted to the events taking place in Chechnia. The action was called a public trial: «Struggle for independence and genocide. Truth against false». At the beginning of the action a picket with antiwar posters and slogans for independence of Chechnia was carried out in front of the Russian Embassy in Belarus. Then the trial over Russia was conducted. At the trial judges, witnesses and advocates were present. In such a way members of «Young Front» tried to find out what was going in Chechnia: struggle with separatists, terrorists or a nationalistic war?

The discussion was interesting and cognitive, though a bit unilateral (there was obvious lack of Russia's «advocates»). Some people also attempted to make parallels between the events in Chechnya and Belarus. For instance, one of the «judges», veteran of the World War II, poet Artur Volski, said: «Personally for me Dudev, Basaev and Moskhadov are heroes of their people. They are the same heroes as our partisans. The latter ones also robbed, killed, destroyed... War in Chechya is a warning to us».



The trial is going on...

VALERY SHCHUKIN

CUSTODY UNIVERSITIES

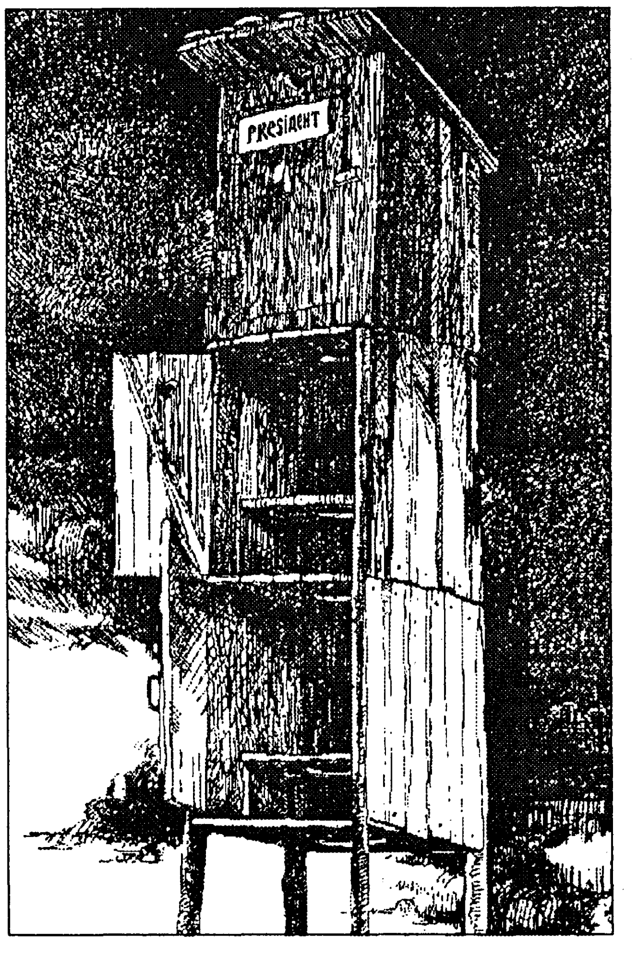
I categorically refused the «unobtrusive» service of a police captain. I went to the police point, from where I was to be taken to the special police department, independently. I should remind that three earlier attempts of police to forcibly put me behind the bars had no results. But, frankly speaking, I had quasi-independence. I think, and there are reasons for it, that every step I made was watched and every sheer (one step left or right) would be taken for an attempt to escape with all the ensuing consequences...

In general, people who are sentenced to administrative arrest must arrive to the place of imprisonment on their own, with the court decision, passport, dry allowance, personal belongings. This means that they can have everything that is not prohibited by the law. Here I should emphasize: by the Law of the Republic of Belarus, not an instruction from the times of Mikhail the Murderous or Ivan the Terrible (Russian czars). And it's not an example of primitive humor. There are many cases when in the special police departments people are directed not only by Soviet instructions, but even those ones that were composed during Stalin's regime.

The State always undertakes to protect honor ad dignity of its citizens. And this is the way it is in all countries of the world except Belarus, though the right to such protection is guaranteed by Article No. 2 of the Constitution of the Republic of Belarus. I should also remind that in my case the police dealt not with an ordinary citizen, but with a former officer. The police must intrude in the procedure of arrest, especially arrest of officers, only when the person absents the arrests, has no passport or due to other circumstances that create obstacles to realization of the punishment. But there are hundreds thousand of policemen. They ought to be busy doing something. So they are busy moving hundred thousands of arrested people around three-point closed route: DDIA – special police department – court.

«DRIVERS IN POLICE UNIFORM».

Police cars arrive to the special police department one after another, like at a diplomatic levee. The difference is that temporal levees are organized on special occasions and guests arrive on their own account, while the arrested people are taken to courts, police points, DDIAs,



etc. on account of the Belausian citizens. About a half of «guest-visitors» of the special police department in Akrestin street are moved from one end of the city to another for many times. The usual routes are as follows:

— from the place of law violation to a DDIA;

— from the DDIA to a special police department for two-three days;

— from the special police department to the DDIA to take the confiscated documents, belongings and administrative case materials;

— from the DDIA to the district court;

— from the court to the DDIA again;

— from the DDIA to the special police department for execution of the punishment.

It's the shortest way, but often it becomes longer for various reasons: sometimes the police make mistakes during composition of documents or find out that the «client» needs medical service and have to take him to a hospital, sometimes among the arrested people appear «too clever» ones who are cognizant in their rights, etc. ... As a result a police car with the guards has to move around the city for 4-10 times with each arrested man. Belarus hasn't got enough fuel to gather the harvest, while the police cars with the arrested people inside continue making kilometers in towns and cities.

On January 13 I, being a deputy of the Supreme Soviet of the 13th Convocation, was also taken to a special police department from Savetski DDIA by a police car. Three arrested people were boxed into a small cell inside the car. One of my companions took compassion on me because of my being old and gave me his place. He couldn't stand straight in the cell and had to bend double and stay in such position for about half an hour. But we were yet in luck's way, because sometimes about six people are transported in this cell, which is one meter long and one and a half meters wide. Once I saw ten (!) people getting out of the cell in front of a special police department. Even animals are trans-ported in more «human» conditions.

LAW IS NOT EXECUTED BY... MINSK EXECUTIVE COMMITTEE

The Belarusian authorities have rights without commitments. If they even have any undertakings, they do not execute them. For instance, protocols of violation of order of holding of assemblies, meetings, processions, demonstrations and pickets are to be composed by the officials who allow (or prohibit) the action. In this case it is Minsk Executive Committee (see Article No. 234.1 of the Code of Administrative Infringements of the Republic of Belarus). But vice-chairman of the Executive Committee Uladzimir Chykin «transferred» his direct powers to the police, who compose protocols even without knowing who made a violation and which law he violated. As a result there are no protocols composed for ostensible infringement of Article No. 167.1 of CAI (now it became a «political» Article in Belarus) where the essence of infringement is described.

But, if the protocols are composed, even by incompetent persons, the Executive Committee doesn't fulfill its main duty, it doesn't draw the arrested people to labor (Article No. 306 of CAI). The political prisoners (people found guilty of violation of Article No. 167.1 of CAI) are to be drawn to physical work. But instead these people are directed to prison cells where conditions are similar to black holes, they are not given any bedding, are not fed every day, are kept in the shadow. The arrested people don't have any possibility to move, are not taken for walks, though the guards ought to do this once a day.

The aim of Minsk Executive Committee is neither to prevent crimes and punish the criminals, nor up-bring people in the spirit of strict observance of laws and the Constitution of the Republic of Belarus, but to directly violate human rights and make reprisals over the people, whose point of view differs from the official one.

This is how in our country democracy looks like. The Belarusian democracy.

(Continuation. Beginning in № 1-4)

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